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BY bla
PLANNING DEPT.



City of
Sherwood
Oregon

Home of the Tualatin River National Wildlife Refuge

Case No. MMSP 13-02

Fee 276-

Receipt # 872560

Date 3-13-13

TYPE I

City of Sherwood

Application for Land Use Action

Type of Land Use Action Requested: (check all that apply)

- ☐ Annexation
- ☐ Plan Amendment (Proposed Zone _____)
- ☐ Variance (list standard(s) to be varied in description)
- ☐ Site Plan (Sq. footage of building and parking area)
- ☐ Planned Unit Development

- ☐ Conditional Use
- ☐ Partition (# of lots _____)
- ☐ Subdivision (# of lots _____)
- ☒ Other: MINOR SITE PLAN MODIFICATION

By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Sherwood employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

Note: See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at www.sherwoodoregon.gov. Click on Departments/Planning/Fee Schedule.

Owner/Applicant Information:

Applicant: Robert Yagovesky

Applicant Address: 150 LAKE ST. S. SUITE 212

Owner: McDonald's USA, LLC, successor-by-merger to Golden Arch Limited Partnership

Owner Address: One McDonald's Plaza, Oak Brook, IL 60523

Contact for Additional Information: Robert Yagovesky (APPLICANT)

Phone: 425 658 5090

Email: EYAGOVESKY@CORE-ENG.COM

Phone: 630-623-3000

Email: teresa.cook@us.mcd.com

Property Information:

Street Location: 21335 SW SHERWOOD BLVD

Tax Lot and Map No: TAXLOT 251300002400 MAP# R2053726

Existing Structures/Use: EXISTING McDONALDS

Existing Plan/Zone Designation: GC GENERAL COMMERCIAL

Size of Property(ies) 37914 FT²

Proposed Action:

Purpose and Description of Proposed Action: BUILDING FACADE RENOVATION,

DUAL ORDER POINT ADDITION, INTERIOR SITE CIRCULATION

Proposed Use: EXISTING McDonald's To REMAIN

Proposed No. of Phases (one year each): 1

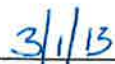
LAND USE APPLICATION FORM

Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.


Applicant's Signature
McDONALD'S USA, LLC, successor-by-merger to Golden Arch Limited Partnership
BY: 
Owner's Signature Shelly Z. Hurta, its Senior Counsel


Date
March 7, 2013
Date

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- ☒ **3 * copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- ☒ **Copy of Deed to verify ownership, easements, etc.**
- ☒ **At least 3 * folded sets of plans**
- ☒ **At least 3 * sets of narrative addressing application criteria**
- ☒ **Fee (along with calculations utilized to determine fee if applicable)**
- N/A ☐ **Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)
- N/A ☐ **Signed checklist** verifying submittal includes specific materials necessary for the application process

* Note that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

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BY *Jeta*
PLANNING DEPT.

engineering
architecture
project management
construction management
permitting
development services



City of Sherwood Oregon
Planning Department
22560 SW Pine Street
Sherwood, OR 97140

MINOR MODIFICATION APPLICATION NARRATIVE

McDonalds Restaurant
21335 SW Sherwood Blvd
Sherwood, OR 97140
Tax Lot: 2S130D002400 Map #: R2053726

PROJECT SCOPE:

- Reconfigure Existing Single Order Point Drive-Thru to a Double Order Point Side by Side Configuration.
- Existing Exterior Façade Renovation.
- Minor Interior Site Circulation Modification.
- Delivery Schedule Modification.
- Accessibility update: Provide Access to the Public Sidewalk, replace non-conforming curb ramps and accessible parking spaces.
- New Landscaping.
- Relocation of Trash Corral.

NARRATIVE: Section 16.90.030 (D) (1-7)

Findings: Section 16.90.030 (D) (1)

- As per 16.22.022, the proposed project is located within a GC zone. Restaurants with drive-thru applications are permitted. Additional menu board signage is permitted as inherent to the building's function.
- As per 16.90.030, the proposed alteration does not meet the criteria required for a major modification.
 1. N/A no proposed change in land-use.
 2. N/A no proposed change in density.
 3. Proposed change in lot coverage adds 3211.2 sf of landscaped area to the existing site plan.

4. Proposed change in site circulation will reduce queuing and improve site flow. Reduction in parking meets township requirements.
 5. N/A No Proposed Increase to Existing Building Floor Area or Height. See Architectural Plans.
 6. N/A no proposed reduction in existing common space.
 7. N/A no condition of approval.
- As per 16.92.030 (B), the proposed modification maintains the 10'-0" wide landscaped strip required between off street parking, loading or other vehicular uses. (Residential Requirements not Applicable)
 - As per 16.92.030 (B) (4), We are proposing a reduction in the amount of existing parking. All Existing Landscaping to Remain Unchanged.
 - As per 16.94.020, Fast Food Drive-Thru applications are required to provide a minimum of 9.9 per 1000 SF of Building. McDonald's Restaurant Area = 3040 SF X .0099 = 30 Spaces Required. 32 Spaces Provided.
 - As per 16.96.040, we are seeking approval to alter on site circulation as shown on the site plan. The proposed site plan seeks to reduce vehicular stacking associated with the drive-thru and improve interior site flow.
 - As per 16.100.030 B 2, Wall signage shall not exceed 20% of the Gross area of the face of the building to which it is attached. A maximum of 250 SF shall be permitted. Signs to be submitted under separate permit.
 - The provisions set forth in divisions VI, VIII & IX do not apply to this renovation project.

Findings: Section 16.90.030 (D) (2)

- The provisions set forth in this section do not apply to this renovation project. Services to existing building to remain unchanged.

Findings: Section 16.90.030 (D) (3)

- The provisions set forth in this section do not apply to this renovation project. No existing covenants or agreements found on this property.

Findings: Section 16.90.030 (D) (4)

- The provisions set forth in this section do not apply to this renovation project. Existing building and site features to remain. The provided CWS pre-screen letter confirms the property is not located with 200 SF of a sensitive area.

Findings: Section 16.90.030 (D) (5)

- The provisions set forth in this section do not apply to this renovation project. Existing building and public sidewalk to remain. Arterial Road improvements are for new development.

Findings: Section 16.90.030 (D) (6)

- The provisions set forth in this section do not apply to this renovation project. Existing building to remain. Average trips generated to site to remain unchanged as previously approved.

Findings: Section 16.90.030 (D) (7a-c)

- As per Section A the existing entrance off Sherwood Blvd remains. This entrance will be updated by providing an accessible path to the existing public sidewalk. The entrance is further articulated by a new aluminum trellis which also provides shelter to the entrance. A new hearth wall is used to break up the street facing elevation. The street facing façade is delineated with material banding. The new parapet is constructed out of corrugated metal.
- As per Section B the existing building constructed flush to Sherwood Blvd and the existing 12 foot wide landscape barrier remains unchanged.
- As per Section C the limited scope of the exterior renovation provides approved new materials including Hardy Board siding, metal Trellis & corrugated aluminum panels.

Should you have any questions regarding this application please contact me directly at (425) 658-5075.

Sincerely,

Robert Yagusesky
Project Manager
Core States Group
150 Lake St. S. Suite 212
Kirkland, WA 98033

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"ARCH REALTY LLC", A DELAWARE LIMITED LIABILITY COMPANY,

"GOLDEN ARCH LIMITED PARTNERSHIP", A DELAWARE LIMITED PARTNERSHIP,

"MCDONALD'S REALTY LLC", A DELAWARE LIMITED LIABILITY COMPANY,

WITH AND INTO "MCDONALD'S USA, LLC" UNDER THE NAME OF "MCDONALD'S USA, LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-FIFTH DAY OF JANUARY, A.D. 2007, AT 4:45 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE THIRTY-FIRST DAY OF JANUARY, A.D. 2007.

3856323 8100M

070087107



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 5386653

DATE: 01-26-07

MMSP 13-02
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BY *[Signature]*
PLANNING DEPT.

CERTIFICATE OF MERGER

MERGING

ARCH REALTY LLC
(a Delaware limited liability company),

MCDONALD'S REALTY LLC
(a Delaware limited liability company)

AND

GOLDEN ARCH LIMITED PARTNERSHIP
(a Delaware limited partnership)

WITH AND INTO

MCDONALD'S USA, LLC
(a Delaware limited liability company)

Pursuant to Section 18-209(c) of the Delaware Limited Liability Company Act, 6 Del. C. §§ 18-101 et seq. (the "LLC Act"), it is hereby certified that:

1. The name and jurisdiction of formation of each of the domestic limited liability companies and the other business entity which are to merge are as follows: Arch Realty LLC, a Delaware limited liability company ("Arch Realty"), McDonald's Realty LLC, a Delaware limited liability company ("McD Realty"), Golden Arch Limited Partnership, a Delaware limited partnership ("GALP") and, together with Arch Realty and McD Realty, the "Constituent Entities", and McDonald's USA, LLC, a Delaware limited liability company (the "Surviving Company").

2. The Constituent Entities and the Surviving Company have each approved and executed an Agreement and Plan of Merger, merging the Constituent Entities with and into the Surviving Company in accordance with the LLC Act and the Delaware Revised Uniform Limited Partnership Act 6 Del. C. §§ 17-101 et seq., as applicable.

3. The Surviving Company shall be McDonald's USA, LLC.

4. The Certificate of Formation of the Surviving Company, as now in effect, shall continue to be the Certificate of Formation of said Surviving Company, and said Certificate of Formation shall

continue in full force and effect until further amended and changed in the manner prescribed by the laws of the State of Delaware.

5. This merger shall be effective on January 31, 2007.

6. The executed Agreement and Plan of Merger is on file at a place of business of the Surviving Company, and the address of such place of business of the Surviving Company is One McDonald's Plaza, Oak Brook, Illinois 60523.

7. A copy of the Agreement and Plan of Merger will be furnished by the Surviving Company, on request and without cost, to any member or partner of the Constituent Entities, as applicable, or to any member of the Surviving Company.

IN WITNESS WHEREOF, the undersigned has duly executed this Certificate of Merger as of January 25, 2007.

MCDONALD'S USA, LLC

By: 

Catherine A. Griffin
U.S. Vice President and Secretary

20480
AFTER RECORDING RETURN TO:
Golden Arch Ltd. Partnership
C/O MCDONALD'S CORPORATION
WILLIAM J. O'CONNELL/PATTY VACCARO
DEVELOPMENT TEAM LEGAL
ONE MCDONALD'S PLAZA, OAK BROOK ILLINOIS 60521
Until a change is requested all tax
statements shall be sent to the following
address:
SAME AS ABOVE

Escrow No. 50000-6096-JY
Order No. 137440

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MAR 23 1995
KING COUNTY CLERK W.V.

STATE OF OREGON }
County of Washington } SS

I, Jerry R. Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

Jerry R. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc : 95084801
Rect: 154352 48.00
11/16/1995 04:04:10PM

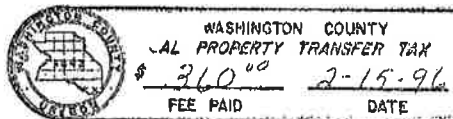
WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL or CORPORATION)

JEFFREY SCOTT EHLEN and CAROL EHLEN, as tenants by the entirety, doing business as HAWTHORNE TERRACE INVESTMENT CO.

Grantor, conveys and warrants to GOLDEN ARCH LIMITED PARTNERSHIP, a Delaware Limited Partnership

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

(Continued)



This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

ENCUMBRANCES:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE IS MADE A PART HEREOF.

The true consideration for this conveyance is \$10.00

Dated October 10, 1995, if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Jeffrey Scott Ehlen
Jeffrey Scott Ehlen

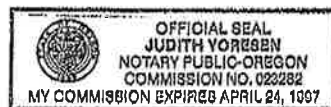
Carol Ehlen
Carol Ehlen

STATE OF OREGON, County of Multnomah ss.

This instrument was acknowledged before me on Oct 10, 1995, by Jeffrey Scott Ehlen

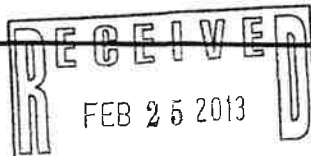
This instrument was acknowledged before me on _____, 19____, as _____ of _____

Notary for Public for Oregon
My commission expires 4/24/95



7-4

MAR 13 13



Clean Water Services

BY llk
PLANNING DEPT

Clean Water Services File Number

13-000457By _____ **Sensitive Area Pre-Screening Site Assessment**1. Jurisdiction: Washington County

2. Property Information (example 1S234AB01400)

Tax lot ID(s): _____

2S130D002400

Site Address: _____

City, State, Zip: _____

Nearest Cross Street: _____

3. Owner Information

Name: Mike & Roxanne Kennedy

Company: _____

Address: *255 SW Hunziker StreetCity, State, Zip: Tigard, OR 97223Phone/Fax: 503 598 9995

E-Mail: _____

4. Development Activity (check all that apply)

- ☐ Addition to Single Family Residence (rooms, deck, garage)
☐ Lot Line Adjustment ☐ Minor Land Partition
☐ Residential Condominium ☐ Commercial Condominium
☐ Residential Subdivision ☐ Commercial Subdivision
☒ Single Lot Commercial ☐ Multi Lot Commercial

Other _____

Mod to existing commercial site plan (single lot)

5. Applicant Information

Name: Robert YaguseskyCompany: Core States GroupAddress: 150 Lake Street South Suite 212City, State, Zip: Kirkland, WA 98027Phone/Fax: Office: 425 406 7646 Cell: 425 495 7335E-Mail: ryagusesky@core-eng.com6. Will the project involve any off-site work? ☐ Yes ☒ No ☐ Unknown

Location and description of off-site work: _____

7. Additional comments or information that may be needed to understand your project _____

This is an existing McDonalds that we are proposing a new drive thru configuration.

This application does NOT replace Grading and Erosion Control Permits, Connection Permits, Building Permits, Site Development Permits, DEQ 1200-C Permit or other permits as Issued by the Department of Environmental Quality, Department of State Lands and/or Department of the Army COE. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

By signing this form, the Owner or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site. I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Print/Type Name Robert YaguseskyPrint/Type Title Project Manager

ONLINE SUBMITTAL

Date 2/25/2013**FOR DISTRICT USE ONLY**

- ☐ Sensitive areas potentially exist on site or within 200' of the site. THE APPLICANT MUST PERFORM A SITE ASSESSMENT PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER. If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.
- ☐ Based on review of the submitted materials and best available information Sensitive areas do not appear to exist on site or within 200' of the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, State, and federal law.
- ☐ Based on review of the submitted materials and best available information the above referenced project will not significantly impact the existing or potentially sensitive area(s) found near the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect additional water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, state and federal law.
- ☐ This Service Provider Letter is not valid unless _____ CWS approved site plan(s) are attached. Partition plat 1995110
- ☒ The proposed activity does not meet the definition of development or the lot was platted after 9/9/95 ORS 92.040(2). NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED.

Reviewed by Laurie HamsDate 03/04/13